

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CHARLES PATRICK PRATT and
A.E.P. through her parents and next friends Bobbi Lynn
Petranchuk and Todd Edward Petranchuk,

Plaintiffs,

- vs. -

INDIAN RIVER CENTRAL SCHOOL
DISTRICT; INDIAN RIVER CENTRAL
SCHOOL DISTRICT BOARD OF
EDUCATION; JAMES KETRICK, Superintendent of
Indian River Central School District, in his official and
individual capacities; TROY DECKER, Principal of
Indian River High School, in his official and individual
capacities; and JAY BROWN, JOHN DAVIS, KENDA
GRAY, AMABLE TURNER, PATRICIA HENDERSON,
and BRIAN MOORE, in their individual capacities,

Defendants.

**PLAINTIFFS' NOTICE OF
OBJECTION TO THE
MAGISTRATE JUDGE'S
ORDER DATED NOVEMBER 5,
2012**

7:09-cv-411 (GTS/TWD)
ECF Case

PLEASE TAKE NOTICE that upon the annexed Affidavit of Thomas W. Ude, Jr.; Plaintiffs' Memorandum of Law in Support of their Objection to the Magistrate Judge's Order Dated November 5, 2011; and Designation of Record on Appeal, Plaintiffs Charles Patrick Pratt and A.E.P. will move the Court, at the James Hanley Federal Building, 100 South Clinton Street, Syracuse, New York, at 10:00 a.m. on December 20, 2012, or as soon thereafter as Plaintiffs may be heard, for an order setting aside the portion of the Magistrate Judge's Order Dated November 5, 2012 that prevents Plaintiffs from seeking discovery concerning (1) incidents before Plaintiff Pratt commenced school in the Indian River Central School District ("District"), *i.e.* before the 1993-94 school year and (2) incidents during Mr. Pratt's attendance in the District, *i.e.* from 1993 to October 2004, that occurred in a District school building different from the one he was attending.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to Local Rule 7.1(b)(2) of the Court, opposition papers, if any, shall be served on or before December 3, 2012.

Dated: November 19, 2012
New York, NY

/s/ Thomas W. Ude, Jr.

Thomas W. Ude, Jr., Bar Number 515867
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